

PATENT

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Judith Friese et al.

Serial No.: 10/620,475

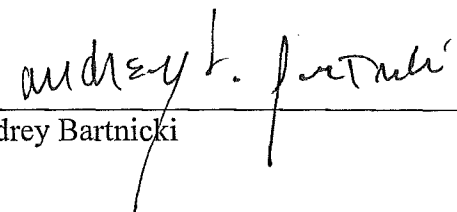
Filed: July 16, 2003

For: Stable Calibrators or Controls for  
Measuring Human Natriuretic  
Peptides

Attorney Docket No.: 7098.US.01

Group Art No.: 1657

Examiner: Gitomer, Ralph J.

**Certificate of Filing under 37 CFR §1.8(a):**I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Patent & Trademark Office by facsimile filing on June 1, 2007 as follows:Examiner R. Gitomer – Mail Stop RCE  
Commissioner for Patents  
571-273-8300

  
Audrey Bartnicki
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed accompanying a Request for Continued Examination. Applicants respectfully petition and request that the Examiner consider the listed documents and evidence such consideration by making appropriate notations on the attached form. Copies of the listed documents are attached.

Documents listed in this Information Disclosure Statement, were first cited in counterpart related US applications. This Information Disclosure Statement is being filed after three months of the mailing date of the communication(s) in the documents were cited.

In particular:

(a) References A4-A7 and C12-C13 were cited on Form PTO-892 attached to the Office Action mailed February 27, 2006 in Application No. 11/248,650 (Case No. 7098USC1).

(b) Applicants' undersigned counsel became aware on May 25, 2007 on reviewing the subject file and related files 7098USP1 and 7098USC1 that the Office Action mailed February 27, 2006 in Application No. 11/248,650 (Case No. 7098USC1) was not listed on the PAIR database record for Application No. 11/248,650 (Case No. 7098USC1). Thus, a copy of this Office Action and its accompanying Form PTO-892 are filed herewith to become of record and part of the official file of the subject

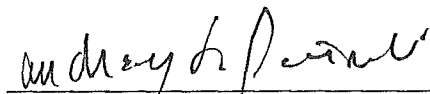
application, and likewise will be or have been already timely filed and made of record in the related files 7098USP1 and 7098USC1.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Commissioner is authorized to charge our Deposit Account any additional fees (or credit any over payments) that may be required under 37 C.F.R. §§ 1.16 and 1.17 in association with this communication for which full payment has not been tendered.

Respectfully submitted,  
Friese, *et al.*

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DATE: June 1, 2007 SHEET 1 of 1

## Form PTO - 1449 (Modified)

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE</b> <b>(Modified) PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)  (37 CFR 1.98 (b))	<b>ATTY. DOCKET NO.</b>	<b>SERIAL NO.</b>
	<b>7098.US.01</b>	<b>10/620,475</b>
	<b>APPLICANT(S)</b>	
	<b>Judith Friese, et al.</b>	
	<b>FILING DATE</b>	<b>GROUP</b>
	<b>7/16/2003</b>	<b>1657</b>

## U.S.PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	INVENTOR	CLASS	SUB CLASS	FILING DATE
	A4	5,707,648	01/1998	Yiv, Seang H.			
	A5	4,607,023	08/1986	Thibealt et al.			
	A6	5,514,670	05/1996	Friedman et al.			
	A7	5,444,041	08/1995	Owen et al.			

## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLIC-ATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

C12	DIAGNOSTIC AUTOMATION/CORTEZ DIAGNOSTICS, INC, Nt-proBNP ELISA Quantitative Determination of Nt-proBNP in Biological Fluids (Cat. No. 2852-7), pp. 1-8 (1997).
C13	ALPCO DIAGNOSTICS, Nt-proBNP EIA (Cat. No. 04-B1-20852), pp. 1-5 (October 12, 2004).

EXAMINER /Ralph Gitomer/

DATE CONSIDERED 05/28/2008

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO 1449)

DATE: June 1, 2007 SHEET 1 of 1

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